

1 **Rule 3.3. Candor Toward the Tribunal.**

2 A licensed paralegal practitioner shall not knowingly make a false statement of fact or law to
3 a tribunal or fail to correct a false statement of material fact or law previously made to the
4 tribunal by the licensed paralegal practitioner.

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6 Comment

7 Representations by a Licensed Paralegal Practitioner

8 [1] A licensed paralegal practitioner is responsible for pleadings and other documents prepared
9 for litigation, but is usually not required to have personal knowledge of matters asserted therein,
10 for litigation documents ordinarily present assertions by the client, or by someone on the client's
11 behalf, and not assertions by the paralegal practitioner. Compare Rule 3.1. However, an assertion
12 purporting to be on the licensed paralegal practitioner's own knowledge, as in an affidavit by the
13 licensed paralegal practitioner, may properly be made only when the licensed paralegal
14 practitioner knows the assertion is true or believes it to be true on the basis of a reasonably
15 diligent inquiry. There are circumstances where failure to make a disclosure is the equivalent of
16 an affirmative misrepresentation. The obligation prescribed in Rule 1.2(d) not to counsel a client
17 to commit or assist the client in committing a fraud applies. Regarding compliance with
18 Rule 1.2(d), see the Comment to that Rule. See also the Comment to Rule 8.4.

19 [2]-[14] Reserved.